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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/622,959	12/11/2000	Doron Elgressy	063170.6607	5350
5073	7590	05/02/2007		
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			EXAMINER NGUYEN, MINH DIEU T	
			ART UNIT 2137	PAPER NUMBER
			NOTIFICATION DATE 05/02/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

09/622,959

Applicant(s)

ELGRESSY ET AL.

Examiner

Minh Dieu Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-34, 42-49 and 57-64 is/are pending in the application.
- 4a) Of the above claim(s) 1-26, 35-41, 50-56 and 65-71 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 27-34, 42-49 and 57-64 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/30/07 has been entered.

Response to Arguments

2. Applicant's arguments filed August 24, 2006 have been fully considered but they are not persuasive. The applicant argues that Touboul does not disclose providing, on a workstation, a pre-set list of applications permitted to run on the workstation and a list of one or more computer resources on the workstation to which are not accessible to unspecified applications; determining, by the filter on the workstation, that the unspecified application is not identifiable in a pre-set list of applications; determining, by the filter on the workstation, whether the requested computer resource is on the list of one or more computer resources that are not accessible to unspecified applications. The examiner respectfully disagrees, Touboul discloses providing, **on a workstation** (e.g. internal network security system 110 is a workstation which includes a CPU 205, see Touboul: col. 3, lines 23-61) a pre-set list of applications permitted to run on the workstation (i.e. non-hostile downloadables, see Touboul: col. 4, lines 29-33), and a list

of one or more computer resources on the workstation to which are not accessible to unspecified applications (see Touboul: col. 5, line 59 to col. 6, line 4; Fig. 3, element 310); determining, **by the filter on the workstation** (e.g. security program 255 is part of the internal network security system workstation 110, security program and security database control examination of incoming downloadables, see Touboul: Fig. 3), that the unspecified application is not identifiable in a pre-set list of hostile applications (see Touboul: col. 4, lines 29-33); determining, **by the filter on the workstation**, whether the requested computer resource is on the list of one or more computer resources that are not accessible to unspecified applications (see Touboul: Fig. 3, path 2).

Claim Objections

3. Claims 27-28, 34, 42-43, 49, 57-58 and 64 are objected to because of the following informalities:

a) As to claims 27, 42 and 57, the phrase "allowing access to the requested computer resource if the requested computer resource is not on the list of one or more computer resources; and preventing access to the requested computer resource if the requested computer resource is on the list of one or more computer resources." should be "allowing access to the requested computer resource if the requested computer resource is not on the list of one or more computer resources that are not accessible to unspecified applications; and preventing access to the requested computer resource if the requested computer resource is on the list of one or more computer resources that are not accessible to unspecified applications."

b) As to claims 28, 43 and 58, the phrase "the list of one or more computer resources" should be "the list of one or more computer resources that are not accessible to unspecified applications".

c) As to claims 34, 49 and 64, the phrase "the list of one or more computer resources comprises" should be "the list of one or more computer resources that are not accessible to unspecified applications comprises".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 27-32, 34, 42-47, 49, 57-62 and 64 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul (6,092,194) in view of Hayman et al. (5,859,966).

a) As to claims 27, 42 and 57, Touboul discloses a system and method for protecting a computer (i.e. computer resources) and a network from hostile downloadables comprising providing, on a workstation (e.g. internal network security system 110), a pre-set list of applications permitted to run on the workstation (i.e. non-hostile downloadables, see Touboul: col. 4, lines 29-33) and a list of one or more computer resources on the workstation to which are not accessible to unspecified applications (see Touboul: col. 5, line 59 to col. 6, line 4; Fig. 3, element 310); providing

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a filter on a workstation for receiving internal requests for computer resources resident on the workstation (addressed by Hayman); receiving at the filter a request for access generated by an unspecified application (i.e. downloadables, see Touboul: col. 1, lines 44-55) downloaded to the workstation from a source external to the workstation (downloadables are executable application programs running on the destination computer utilize destination computer resources/operations, see Touboul: col. 4, lines 33-35), the request for access identifying a computer resource resident on the workstation (see Touboul: col. 4, lines 41-45) to which the unspecified application seeks access (col. 9, lines 24-29), determining, by the filter on the workstation (e.g. security program in the internal network security system workstation) that the unspecified application is not identifiable in a pre-set list of applications (see Touboul: col. 4, lines 29-33); determining, by the filter on the workstation, whether the requested computer resource is on the list of one or more computer resources that are not accessible to unspecified applications (see Touboul: Fig. 3, path 2); allowing access to the requested computer resource if the requested computer resource is not on the list of one or more computer resources (see Touboul: Fig. 6C, element 666); and preventing access to the requested computer resource if the requested computer resource is on the list of one or more computer resources (see Touboul: Fig. 6C, element 670).

Touboul is silent on the capability of providing a filter on a workstation for receiving internal requests for computer resources resident on the workstation.

Hayman is relied on for the teaching of protecting the information on the computer system from unauthorized access, wherein these accesses come from

outside and often from within (see Hayman: col. 1, lines 13-20). This anticipates secure mechanism in identifying internal requests (see Hayman: col. 1, lines 5-10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of providing a filter on a workstation for receiving internal requests for computer resources resident on the workstation in the system of Touboul as Hayman discloses to broadly protect computer information from unauthorized (external and internal) accesses.

b) As to claims 28, 43 and 58, the combination of Touboul and Hayman discloses the list of one or more computer resources comprises a look-up table (see Touboul: col. 5, lines 59-67 to col. 6, lines 1-4; Fig. 3, element 310; col. 5, lines 45-48).

c) As to claims 29, 44 and 59, the combination of Touboul and Hayman discloses the requested computer resource is selected from the group consisting of a memory allocation, a file and a directory (see Touboul: col. 5, line 59 to col. 6, line 4).

d) As to claims 30, 45 and 60, the combination of Touboul and Hayman discloses the requested computer resource is selected from the group consisting of a copy command, a delete command and a compress command (i.e. file operations, see Touboul: col. 5, line 59).

e) As to claims 31, 46 and 61, the combination of Touboul and Hayman discloses the requested computer resource comprises an operation that when performed leads to a permanent change in the workstation (see Touboul: col. 5, line 59 to col. 6, line 4).

f) As to claims 32, 47 and 62, please see addressed claim 27.

g) As to claims 34, 49 and 64, the combination of Touboul and Hayman discloses the list of one or more computer resources comprises a list of one or more computer resources that the unspecified application may use during operations performed by the unspecified application (see Touboul: col. 5, line 35 to col. 6, line 4).

6. Claims 33, 48 and 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul (6,092,194) in view of Hayman et al. (5,859,966) and further in view of Hind et al. (5,987,523).

Touboul and Hayman are silent on the capability of receiving the request comprises receiving an indirect request generated by the unspecified application.

Hind is relied on for the teaching of receiving an indirect request generated by the unspecified application (see Hind: col. 5, lines 20-41).

It would have been obvious to one of ordinary skill in the art at the time of the invention to employ the use of receiving the request comprises receiving an indirect request generated by the unspecified application in the system of Touboul and Hayman, as Hind discloses, so as to provide flexibility of communication in the computer system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu Nguyen whose telephone number is 571-272-3873.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



mdn
4/22/07